IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 15142 of 2005

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA
HON'BLE MR.JUSTICE M.C.PATEL

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

TIGER STEEL ENGINEERING (INDIA) PVT. LTD - Petitioner(s)

Versus

STATE OF GUJARAT & 2 - Respondent(s)

==========

Appearance :
MR TANVISH U BHATT for Petitioner No(s).: 1.
MR SIRAJ GORI, AGP for Respondent No(s).: 1.
==========

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE M.C.PATEL

Date : 26/07/2005

ORAL JUDGMENT (Per : HON'BLE MR.JUSTICE B.J.SHETHNA)

Rule. Learned AGP Shri Gori appearing, on advance copy of this petition being served upon him, waives

notice for the respondents.

2. Mr. Gori, on instructions from the concerned officer, states that the stay application filed in the main appeal by the petitioner against the assessment order will be heard and decided by the appellate authority in accordance with law as early as possible, preferably on or before 12th August, 2005. In view of this statement, it is obvious that the Recovering Officer i.e. respondent no.2 will wait till the disposal of the stay application by the appellate authority.

3. In view of the above, learned counsel Shri Bhatt for the petitioner seeks permission to withdraw this petition at this stage to which learned AGP Shri Gori for the respondents has no objection. Accordingly, permission is granted. The petition is dismissed as withdrawn. Rule discharged.

(B.J. Shethna, J.)

(M.C. Patel, J.)

hki